

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of

Delaware

Endo Pharmaceuticals Inc. and
Penwest Pharmaceuticals Co.,
Plaintiffs,

SUMMONS IN A CIVIL CASE

V.

Impax Laboratories, Inc.,
Defendant.

CASE NUMBER:

07 - 731

TO: (Name and address of Defendant)

Impax Laboratories, Inc.
c/o The Prentice-Hall Corporation System, Inc.,
2711 Centerville Road
Suite 400
Wilmington, DE 19808

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Jack B. Blumenfeld
Morris, Nichols, Arsht & Tunnell LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

NOV 15 2007

CLERK

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE November 16, 2007	
NAME OF SERVER (PRINT) <i>Kenneth M. Anderson</i>	TITLE Messenger	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input checked="" type="checkbox"/> Other (specify): By hand delivering a copy of the summons and complaint to Impax Laboratories, Inc. c/o The Prentice-Hall Corporation System, Inc., 2711 Centerville Road, Suite 400, Wilmington, DE 19808		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>11/16/07</u> <i>[Signature]</i> Date Signature of Server 800 King Street Suite 102 Wilmington, DE 19801 Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.